

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	25 September 1997
Name of applicant/court:	Secretary for Internal Affairs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Regurgitator
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Warner Music Australia
Author:	Not Applicable
Format:	Compact Disc Sound Recording Slick
Country of Origin:	Australia
Language:	English

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.

Display conditions:

Section 27

That when the publication is on public display, the classification given to the publication must be shown on the publication; or any package in which the publication is kept
and

That the publication must be publicly displayed only in a sealed package.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The compact disc sound recording slick (CD slick) *Regurgitator* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.

The dominant effect of the CD slick is a well produced collection of lyrics, information and images designed to inform and entertain the reader about Regurgitator, most of which are innocuous. However, the combination of the written and illustrated sexual references is likely to make the availability of the CD slick injurious to the public good, in this instance persons under the age of 16 years.

The CD slick contains some offensive language and sexual references which are often presented in a didactic or humorous manner. The expletives and sexual references in lyrics are used to emphasise the point of view of the writer of the lyrics. References are made to gang rape, anal intercourse and fellatio. Two cartoon images depict a naked man, one of which depicts him with an erection. These depictions present as humorous and somewhat adolescent. Another image depicts three penises playing musical instruments and ejaculating.

The New Zealand Bill of Rights Act 1990 (NZBR Act) has been balanced against the criteria as discussed in s3 of the Films, Videos, and Publications Classification Act 1993. Section 14 of the NZBR Act applies to this CD slick. The classification given to the CD slick is a restriction on the right to freedom of expression that is both reasonable and justified as outlined in s5 of the NZBR Act.

OFLC Ref: 9601190